



## Legislation Details (With Text)

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<b>Title:</b>	Action on a Variance to Allow an Addition to a Single Family Residence with a Non-Conforming Garage at 741 Enright Avenue				
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<b>Attachments:</b>	1. Project Data, 2. Development Plans, 3. Conditions of Approval, 4. Resolution Approving a Variance				

Date	Ver.	Action By	Action	Result
9/26/2018	1	Planning Commission	Approved	Pass

## REPORT TO PLANNING COMMISSION

### SUBJECT

Action on a Variance to Allow an Addition to a Single Family Residence with a Non-Conforming Garage at 741 Enright Avenue

### BACKGROUND

On July 12, 2018, Jie Wei filed an application for a variance to construct an 809 square foot front and rear addition to an existing single-family home and retain an attached one-car garage. The project requires a variance to allow the existing non-conforming one-car garage where two covered parking spaces are required for a single-family addition with 500 square feet or more.

The subject site is located in a tract home neighborhood that was originally constructed with one-car garages. Many of the homes in this neighborhood have requested variances to retain a one car garage for house additions of 500 square feet or more.

### DISCUSSION

The project proposes an 809 square feet addition to an existing 836 square foot single-story residence with two bedrooms, one bathroom, and a 220 square foot attached one-car garage. The proposal would result in a 1,865 square foot single-story home with three bedrooms, three bathrooms, and an attached one-car garage.

The minimum required driveway access to a garage per SCCC Section 18.74.050(a)(2) is ten feet in width with one foot of landscaping on each side. The required minimum lot width in the R1-6L zone is 60 feet and the subject property has 50 feet with a five foot setback from the existing garage. The substandard 50 foot width of the lot and the existing layout of the home would require a significant demolition of the existing structure to accommodate the required dimension for a covered parking space of 20 feet depth by 20 feet width.

Prior to 2014, the City's General Plan included a policy that additions not exceeding 500 square feet (and less than 4 bedrooms) could be constructed without having to meet the Zoning Code parking requirements. As this Policy is not currently in the General Plan and further because the proposed addition would exceed 500 square feet, the proposal is subject to the parking requirements of the Zoning Code, unless a variance is granted by the Planning Commission.

*Zoning:*

The proposed project does not comply with the R1-6L parking requirement for the attached garage per SCCC Section 18.12.120(a) and 18.74.010(b)(1). Pursuant to SCCC Section 18.108.010, where practical difficulties, unnecessary hardships, and effects, inconsistent with the general purposes of the Zoning Code may result from the strict application of certain provisions, variances may be granted. The location of the house on the 50 foot wide substandard lot and the existing house configuration preclude the construction of a detached garage in the rear yard or expansion of the existing garage. For these reasons and the findings in the Resolution attached to this staff report, there is sufficient evidence to support the Variance request.

*Conclusion:*

The proposed Variance would allow the property owner to reasonably use the property without incurring the substantial burden of reconstructing the house to accommodate a two-car garage. The single-family zoning district requires two covered parking spaces for a single-family dwelling, but the owner's intent is to optimize the use of the property and meet personal family needs. Requiring two-covered parking spaces on this property with the existing 836 square foot house could create practical difficulties, unnecessary hardships, and effects for the applicant, since substantial demolition and renovation would be required. The proposal is consistent with the intent of the Variance ordinance. The design of the garage is consistent with the type and location of covered parking in the surrounding neighborhood. On-site parking is also provided with the paved driveway in front of the garage. Approval of the proposal would allow the property owners to submit the requisite plans to the City to obtain building permits.

**ENVIRONMENTAL REVIEW**

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301(e)(2), additions to existing facilities. The project would make an addition to an existing structure of less than 10,000 square feet, the project is located in an area where all public services and facilities are available, and the area where the Project is located is not environmentally sensitive.

**FISCAL IMPACT**

There is no impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by the applicant.

**COORDINATION**

This report has been coordinated with the City Attorney's Office.

**PUBLIC CONTACT**

On September 14, 2018, a notice of public hearing of this item was posted in at least three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site. Planning Staff has not received public comments for this application during the preparation of this report.

### **RECOMMENDATION**

Approve the Variance to allow a 809 square foot front and rear addition to a single-family residence and retain an attached one-car garage, in lieu of two-covered parking spaces as required by the zoning code.

Prepared by: Steve Le, Assistant Planner I

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Reena Brilliot, Planning Manager

### **ATTACHMENTS**

1. Project Data
2. Development Plans
3. Conditions of Approval
4. Resolution Approving a Variance